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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,616	08/19/2003	Yujiro Iida	BD0303T	3764
7590 06/21/2004				
KANESAKA & TAKEUCHI 1423 Powhatan Street Alexandria, VA 22314			EXAMINER GRAINGER, QUANA MASHELL	
			ART UNIT 2852	PAPER NUMBER

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicati n No.</b>	<b>Applicant(s)</b>	
	10/642,616	IIDA, YUJIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Quana Grainger	2852	

**-- The MAILING DATE of this c mmunication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-12, 15-16 is/are rejected.
- 7) ☒ Claim(s) 9, 10, 13, 14, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Pri rity under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The formal drawings are approved by the examiner.

### ***Title***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 4-6, 11-12, and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikuchi et al. (JP 63-244059). The image forming apparatus by Kikuchi et al. comprises a main body including a medium feed section for feeding a medium and an image forming section for forming an image on said medium; a swinging member provided on said main body such that said swinging member can swing freely; and a feeding member rotatably supported by said swinging member and feeding said medium supplied from said medium feed

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section to said image forming section (Figures 7a and 7b). The feeding member is composed of at least one pair of rollers (301, 302). The image forming apparatus further comprises a lock mechanism for locking said swinging member to said main body. The swinging member and said main body include positioning elements, respectively, for positioning said swinging member with respect to said main body.

Kikuchi et al. teaches a medium feed device by comprises a main body; an image processing section provided in said main body; and a swinging member provided on said main body such that said swinging member can swing freely; and a feeding member rotatably supported by said swinging member and feeding said medium supplied from a medium feed section to said image processing section (Figure 7a, 7b). The positioning elements are provided in the vicinity of a supporting member for rotatably supporting said pair of rollers.

6. Claims 1, 7-8, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuura et al. (5,255,061). The image forming apparatus by Matsuura et al. comprises a main body including a medium feed section for feeding a medium and an image forming section for forming an image on said medium; a swinging member provided on said main body such that said swinging member can swing freely; and a feeding member rotatably supported by said swinging member and feeding said medium supplied from said medium feed section to said image forming section (Figure 3). The apparatus further comprises a belt unit 1 for transporting said medium fed by said feeding member, said belt unit provided such that said belt unit can be taken out in a direction in which said swinging member is opened with respect to said main body. The belt unit comprises a transferring member 2.

Matsuura et al. also teaches a medium feed device comprises a main body; an image processing section provided in said main body; and a swinging member provided on said main body such that said swinging member can swing freely; and a feeding member rotatably supported by said swinging member and feeding said medium supplied from a medium feed section to said image processing section (Figure 4).

***Prior Art of Record***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Namiki (5,280,331) teaches a pivotable refeeding path unit.

***Allowable Subject Matter***

8. Claims 9-10, 13-14, and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

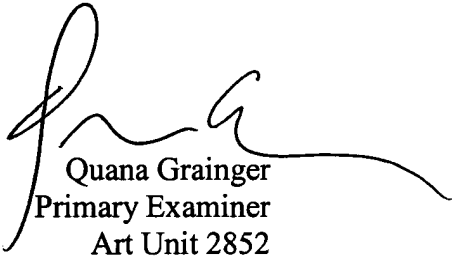
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on weekdays between the hours of 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quana Grainger  
Primary Examiner  
Art Unit 2852

QG